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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,727	03/21/2007	Udo Friese	808/44878	8404
23646 7590 11/10/2009 BARNES & THORNBURG LLP 750-17TH STREET NW SUITE 900 WASHINGTON, DC 20006-4675				
EXAMINER				
TOLAN, EDWARD THOMAS				
ART UNIT		PAPER NUMBER		
3725				
MAIL DATE		DELIVERY MODE		
11/10/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,727

Applicant(s)

FRIESE, UDO

Examiner

EDWARD TOLAN

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 and 6-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4 and 6-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,4,6-22 and 25-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanemitsu et al. (6,484,547). Kanemitsu discloses a method for the production of a flange (3,4,10a, fig. 2F) on a circular metal blank (10) comprising providing a metal blank (10) and providing a pressure roller (13) to form a conically shaped structure (10a) that is v-shaped as a cone and tapers (angled) toward a median (O₁) as shown in fig. 2B. In a subsequent treatment by a roller press (16), the conically shaped structure (10a) is formed into a flange (3,4,10a) that has an axial dimension (h₁,h₂) that is smaller than a radial dimension (plate OD - D₁). Referring to fig. 1 and column 4, lines 15-23, the blank thickness (t₀) is 0.8mm, the height h₁ of flange portion (3) is 3mm and the height h₂ of flange portion (2) is 2mm, therefore an axial flange dimension is about 5.8mm. The radial dimension is plate OD (69.5mm) - D₁(56.8) = 12.7mm. The axial dimension (5.8mm) is smaller than a radial dimension (12.7mm), the radial dimension is more that twice as large. Regarding claim 2, an axial extension h₂ = 2mm is slightly larger than an axial thickness (0.8mm) of the blank and an axial thickness of the flange portion (10a) shown in fig. 2F is reduced compared to the blank thickness (t₀). The pressure roller (13) is sunk into the metal blank and radially moved

toward an inside thereof (fig. 2B, col. 3, lines 5-10). Hold down pressure ring members (11,12) press the blank during forming. Regarding claims 7-9, Kanemitsu discloses that the pressure roller (13) is angled (13a) to work a flange portion, the v-shaped angle is an obtuse angle that is greater than 90 degrees. Regarding claims 11-13, the subsequent treatment includes a pressure roller (16) that sinks axially and radially into the conically shaped structure (10a) as shown in figs. (2D,2F). Regarding claim 17, figs. 2C,2D show an abutment chuck (15). Regarding claims 20-22, flange portions (3,4) are formed on both axial sides of the circular metal blank. Regarding claims 26,27,29,30, the circular metal blank has an initial width of less than 7mm (it is 0.8mm) and the flanged final product shown in fig. 2F has flange portions (t1,t2,10a) that are thinner than the initial width.

Claims 26,27,29,30 are rejected under 35 U.S.C. 102(b) as being anticipated by Himmeroeder (5,404,640). Himmeroeder discloses a starter rim (10) for a transmission comprising a flange (18) having teeth (20) and centric bore (82).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanemitsu (6,484,547) in view of Rolf (5,806,358). Claims 23 and 24 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Rolf (5,806,358). Rolf discloses a roller (80) that forms an outer flange of the blank (10) against a toothing (55). It would have been obvious to one skilled in the art at the time of invention to provide toothing on an inside or an outside of shaping tool (50) in order to form toothing on an inner or an outer flange part of the metal blank (10).

Response to Arguments

Applicant's arguments with respect to claims 1,2,4 and 6-30 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD TOLAN whose telephone number is (571)272-4525. The examiner can normally be reached on M-F.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/579,727
Art Unit: 3725

Page 5

/Edward Tolan/
Primary Examiner, Art Unit 3725